

**PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA
COMMISSION DIRECTIVE**

ADMINISTRATIVE MATTER

☐

DATE

December 18, 2019

MOTOR CARRIER MATTER

☐

DOCKET NO.

2019-358-E

UTILITIES MATTER

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ORDER NO.

2019-874

THIS DIRECTIVE SHALL SERVE AS THE COMMISSION'S ORDER ON THIS ISSUE.

SUBJECT:

DOCKET NO. 2019-358-E - Jimmy Berry, Complainant/Petitioner v. Dominion Energy South Carolina, Incorporated, Defendant/Respondent - Staff Presents for Commission Consideration Dominion Energy South Carolina, Incorporated's Motion to Dismiss Complaint.

COMMISSION ACTION:

Mr. Berry alleges that Dominion Energy South Carolina, Incorporated ("DESC") damaged an underground electrical line during its repairs to a gas line damaged by a contractor, and that in turn caused damage to his residence, for which he seeks monetary damages. By letter, ORS informed the Commission that it had previously advised Mr. Berry that the Public Service Commission of South Carolina does not have jurisdiction to award monetary damages. Further, verified testimony was submitted by DESC showing that Mr. Berry's power line according to Dominion runs overhead at the location the gas line was damaged and repaired.

While I am sympathetic to his concerns and understand that he has a right to assert his claims, this is not the place to do it. Mr. Berry has not alleged that DESC violated any applicable statute, rule, regulation, or order under this Commission's jurisdiction, and he only seeks monetary damages as relief. As the Commission lacks jurisdiction, his complaint is not properly before this Commission and must be dismissed because the Commission lacks jurisdiction to award money damages. Mr. Berry may seek relief in magistrate court or the Court of Common Pleas.

PRESIDING: RandallSESSION: Regular

TIME: 2:00 p.m.

	MOTION	YES	NO	OTHER	
BELSER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
ERVIN	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
HAMILTON	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
HOWARD	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>Absent</u>	Sick Leave
RANDALL	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
WHITFIELD	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
WILLIAMS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>Absent</u>	Military Leave

(SEAL)

RECORDED BY: J. Schmieding

